

# HOUSE . . . . . No. 978

By Mr. Ayers of Quincy, petition of Bruce J. Ayers for legislation to establish penalties for the filing of false reports against police officers. The Judiciary.

## The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

### AN ACT ESTABLISHING PENALTIES FOR THE FILING OF FALSE REPORTS AGAINST POLICE OFFICERS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 268 of the General Laws, as appearing in the 1996  
2 Official Edition, is hereby amended by adding after section 32B  
3 the following new section:—

4 Section 32C. Every person who files any allegation of miscon-  
5 duct against any police officer, knowing the report to be false,  
6 shall be punished by imprisonment in the state prison for not more  
7 than twenty years or by a fine of not more than one thousand dol-  
8 lars or by imprisonment in jail for not more than two and one-half  
9 years, or by both such a fine and imprisonment in jail. For the  
10 purposes of this section, “police officer” shall mean an employee  
11 of a city, town, county, the Commonwealth or the Massachusetts  
12 Bay Transportation Authority authorized to make arrest.

13 Any law enforcement agency accepting an allegation of mis-  
14 conduct against a police officer shall require the complainant to  
15 read and sign the following information advisory, all in bold-face  
16 type:

17 YOU HAVE THE RIGHT TO MAKE A COMPLAINT  
18 AGAINST A POLICE OFFICER FOR ANY IMPROPER CON-  
19 DUCT. THIS AGENCY MAY FIND THERE IS NOT ENOUGH  
20 EVIDENCE TO SUBSTANTIATE YOUR ALLEGATION AND  
21 WARRANT ACTION ON YOUR COMPLAINT: EVEN IF THIS  
22 IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COM-  
23 PLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE  
24 AN OFFICER BEHAVED IMPROPERLY.

25 PLEASE BE ADVISED THAT IT IS ILLEGAL TO MAKE A  
26 COMPLAINT YOU KNOW TO BE FALSE. IF YOU MAKE A  
27 COMPLAINT AGAINST AN OFFICER KNOWING IT IS  
28 FALSE, YOU MAY BE PROSECUTED ON A FELONY  
29 CHARGE.

30 I HAVE READ AND UNDERSTOOD THE ABOVE STATE-  
31 MENT. I FURTHER REALIZE THIS COMPLAINT IS SIGNED  
32 UNDER THE PAINS AND PENALTIES OF PERJURY.

33 \_\_\_\_\_  
34 COMPLAINANT.